

REMARKS

Applicant hereby responds to the Office Action mailed December 3, 2002 within the shortened statutory three month period of response. Claims 22-71 are pending in the application and the Examiner has issued a restriction requirement for the pending claims. Upon entry of the foregoing amendments, Applicant cancels claims 22-47 and 65-71 without prejudice and amends claims 48, 49 and 55.

The Examiner has re-asserted a Restriction Requirement under 35 U.S.C. § 121 requiring restriction of the application. Applicant thanks the Examiner for clarifying the request for cancellation of non-elected claims. Applicant hereby elects Group IV, consisting of Claims 48-64, for prosecution in this application and Applicant cancels all non-elected claims, namely claims 22-47 and 65-71. Applicant has selected Group IV in order to expedite prosecution of this application. Applicant does not traverse the Restriction Requirement, nor does Applicant necessarily acquiesce to the Examiner's foundation for the Restriction Requirement as set forth in the December 3, 2002 Office Action. Accordingly, the foregoing election is made without waiver, estoppel or without prejudice to the filing of one or more related applications directed to the subject matter of the canceled claims.

The Examiner next rejects independent claims 48-64 under 35 U.S.C. 102(b) as being anticipated by Beasley et al. (U.S. Patent No. 5,721,842). Applicant respectfully traverses this rejection. The Examiner generally asserts that the abstract; figures 1-6; column 2, lines 5-62 and column 2, line 57 to column 3, line 35 in the Beasley reference include all of the elements of independent claim 48. As an initial matter, Applicant is confused about the citation to column 2, lines 5-62 of the Beasley reference in that lines

5-12 include general language about drawing figures and most of the remainder of the citation includes brief descriptions of the drawing figures, including figures 7-12B which were not cited by the Examiner as relevant. Nonetheless, Applicant cannot find any disclosure or suggestion of the elements of the independent claims anywhere in the cited portions of the Beasley reference. More significantly, Applicant cannot find any disclosure or suggestion of such elements anywhere in the entire Beasley reference.

The Beasley reference discloses a specific "computerized switching system that allows centrally located network administrators to operate multiple server computers over long distances . . . " column 1, lines 46-48 (emphasis added). Because the system is specifically designed for "remotely-located server computers" (column 2, line 59), the system incorporates numerous other devices (e.g., pods), protocols and routines (e.g., mix, modify, packet, boost and/or condition signals) in order to facilitate minimizing degradation of the signal during transmission of the signal over long distances. Many of the routines set forth in the Beasley reference are also necessary for condensing the signal in an effort to minimize the number of conductors needed in a cable. Moreover, the Beasley reference discloses the use of a standard data networking CAT5 cable to interface the workstations to the remotely located servers. Furthermore, as clearly disclosed in Figure 2, the Beasley system incorporates three separate cables for interfacing between the computer and the switch/pod communication system.

In contrast, the presently claimed invention includes a switch in close proximity to the computer console such that the system does not require additional hardware, software or other procedures for minimizing degradation of the signal. As such, in the presently claimed invention, the signal remains substantially unmodified. Moreover,

instead of utilizing three cables for interfacing to the switch at three different interface locations, the presently claimed invention includes three separate connectors carrying different signals from the computer, but the cables converge into a single KVM cable in order to connect to the KVM switch using one cable into, for example, a 15 pin connector. Accordingly, the Beasley reference does not disclose, teach or suggest "a KVM switch comprising a plurality of first connectors", as required by independent claim 48. The Beasley reference only discloses the use of a standard data networking CAT5 cable to interface the workstations having three connections and the Beasley reference does not disclose, teach or suggest "a keyboard-video-mouse cable", or "a first end comprising a second connector for connecting into said keyboard-video-mouse switch", as also required by independent claim 48. The Beasley reference also discloses interfacing remotely-located server computers using pods (between the computer and switch), protocols and routines which facilitate mixing, modifying, packetizing, boosting and/or conditioning signals and the Beasley reference does not disclose a KVM cable "which accepts unmodified signals and does not require additional devices between said computer and said switch," which is also required by amended independent claim 48.

With respect to independent claims 49, 55 and 63, the Examiner does not state with particularity the reasons why the Examiner believes each of the elements of independent claims 49, 55 and 63 are anticipated by Beasley. As such, Applicant asserts that the Examiner has not met the appropriate burden for issuing a rejection of independent claims 49, 55 and 63.

Moreover, neither the cited figures or sections of the Beasley reference or the entire Beasley reference disclose or suggest the structural components of the presently claimed invention because, in part, the Beasley reference does not disclose a switch located in a rack for monitoring a computer console. For example, the Beasley reference does not disclose "a KVM switch in a stationary configuration", any type of clam shell design such as "a display housing pivotably connected to the base housing in a configuration such that the display housing at least partially covers and protects the base housing when in a closed position", or any type of slidably mounted device such as "said input and display device is slidably connected to, and in communication with, said keyboard-video-mouse switch such that said input and display device may be stored or extended to an open position while said keyboard-video-mouse switch remains in a fixed position, thereby reducing the likelihood of a cable being pulled loose by a human operator during an extending or storing operation," as required by independent claim 49.

In the presently claimed invention, the processors are co-located within the switch and a single processor may communicate with two computers. In contrast, the Beasley reference requires a processor for each computer. While the switch device may include a processor, the processor is simply limited to the operation of the switch device. As such, with respect to independent claims 55 and 63, the Beasley reference does not disclose or suggest the unique combination and configuration of the KVM switch, processors and devices set forth in independent claims 55, as amended, or independent claim 63.

The Examiner next sets forth the rejections for dependent claims 50-64, 56-62 and 64 as being anticipated by Beasley. The Examiner asserts that Beasley teaches a device with a maximum vertical height of 1.75 inches, plurality of hinges, cabling configuration, and 15 position D-sub connectors and generally cites to the abstract and figures 1-6 for support of the Examiner's arguments. However, Applicant cannot find any disclosure or suggestion of such elements anywhere in the abstract or figures 1-6. More significantly, Applicant cannot find any disclosure or suggestion of such elements anywhere in the entire Beasley reference. As such, Applicant asserts that the Beasley reference does not disclose or teach the elements of dependent claims 50-64, 56-62 and 64. Moreover, because dependent claims 50-64, 56-62 and 64 variously depend from the independent claims set forth above, Beasley does not disclose or suggest the dependent claims 50-64, 56-62 and 64 for the same reasons as set forth above for differentiating independent claims 48, 49, 55 and 63.

A Notice of Allowance respecting all pending claims is earnestly solicited. No new matter is added by the amendments. However, if the Examiner wish to discuss any of the above in greater detail, then the Examiner is invited to telephone the undersigned at the Examiner's convenience.

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